* Application Number	Application/Control No.		Applicant(s)/Patent under texamination		
Document Code - DISQ	Internal Do		ocument – DC	cument - DO NOT MAIL	
TERMINAL DISCLAIMER	▲ APPROVED		☐ DISAPP	□ DISAPPROVED	
Date Filed : October 24, 2005	This patent is subject to a Terminal Disclaimer				
Approved Disapproved by					
Approved/Disapproved by: Henry D. Jefferson					

U.S. Patent and Trademark Office



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

Hisao Kikuchi

Serial No.

10/807,242

Filed

March 24, 2004

For

NETWORK SYSTEM AND COMMUNICATION BAND CONTROL

METHOD THEREOF

GROUP

2661

EXAMINER:

Tri H. Phan

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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION

SIR:

Identification of Person Making This Disclaimer

I, John C. Altmiller (Reg. No. 25,951) of KENYON & KENYON, 1500 K Street, N.W., Suite 700, Washington, D.C. 20005-1257, represent that I am an attorney of record in the aboveidentified application authorized to sign on behalf of the assignees identified below owning all of the interest in this application.

Identity of Assignee and Title of Disclaimant

The assignees are

HITACHI, LTD.

Address of assignee

6. Kanda Surugadai 4-chome Chivoda-ku, Tokyo, JAPAN

Title of disclaimant

Attorney of Record

AND

HITACHI PROCESS COMPUTER ENGINEERING, INC.

Address of assignee 2-1, Omikacho 5-Chome

Title of disclaimant

Hitachi-shi Ibaraki, JAPAN

Attorney of Record

authorized to sign on behalf of assignee. 04/14/2005 MBEYENE1 00000042 10807242

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130.00 DA

U.S. Serial No.: 10/807,242 Docket No.: 29284/270

Extent of Interest

The extent of the assignees interest is that each has a 50% interest of this invention.

Disclaimer

HITACHI, LTD. and HITACHI PROCESS COMPUTER ENGINEERING, INC., together owners of the entire right title and interest in the instant application, hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 and § 173, as presently shortened by any terminal disclaimer, of copending Application Serial No. 09/6794.171. The owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to § 156 and § 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer.

Please charge Deposit Account No. 11-0600 in the amount of \$110.00 to cover the fee under 37 C.F.R. § 1.20(d).

Respectfully submitted,

Date: April 12, 2005

John C. Altmiller Registration No. 25,951 Attorney of Record

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